

CLAIMS:

Claims 27 and 28 have been amended. New claims 29 and 30 have been added. Claims 27-30 are pending in the present application. The following is the status of the claims of the above-captioned application, as amended.

Claims 1-26 (cancelled).

Claim 27 (Currently Amended) A method for producing a heterologous protein comprising:
(a) culturing ~~a non-toxic, non-toxicogenic, non-pathogenic~~ *Fusarium venenatum* host cell comprising a nucleic acid sequence operably linked to a promoter encoding the heterologous protein, ~~wherein the host cell has the identifying characteristics of the non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell of NRRL 30747;~~ and (b) isolating the heterologous protein.

Claim 28 (Currently Amended) An isolated non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell, ~~having the identifying characteristics of *Fusarium venenatum* NRRL 30747,~~ comprising a nucleic acid sequence encoding a heterologous protein.

Claim 29 (New) The method of claim 27, wherein the host cell is the non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell of NRRL 30747.

Claim 30 (New) The *Fusarium venenatum* host cell of claim 28, which is the non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell of NRRL 30747.

spe - ATCC 20334 = NRRL 30747
misdx as *F. graminearum*

isolate strains?
in definition
pages 9-15